

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

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Incident Information

URN: 916 - 00102 - 5410 - 505		Date: 08/18/2016	Time: 1100 hours
Location: 2051 Marengo Street		City or Station: Los Angeles 90033	
Bureau/Station/Facility: LAC-USC Medical Center Jail Ward		Admin. Investigation: <input checked="" type="radio"/> YES <input type="radio"/> NO	
Type of Force: Personal Weapons-Kick			
Incident Category: <input type="radio"/> 1 <input type="radio"/> 2 <input checked="" type="radio"/> 3		Deputy Injury: <input type="radio"/> YES <input checked="" type="radio"/> NO	
Suspect Injury: <input checked="" type="radio"/> YES <input type="radio"/> NO			
<input type="checkbox"/> Call	<input type="checkbox"/> Observation	<input checked="" type="checkbox"/> Detail	<input type="checkbox"/> Foot Pursuit <input type="checkbox"/> Vehicle Pursuit
IAB Notified: <input checked="" type="radio"/> YES <input type="radio"/> NO		Person Notified: Lieutenant Grall	Emp: [REDACTED]
		IAB Roll Out: <input type="radio"/> YES <input checked="" type="radio"/> NO	

Involved Employee

E1	Employee #	Last Name	First Name		Middle I.	Rank
		Morales	Eduardo		MNI	DSG
	Sex: <input checked="" type="radio"/> M <input type="radio"/> F	Race: H	Height: 510	Weight: 222	Age: [REDACTED]	Shift: <input type="radio"/> EM <input checked="" type="radio"/> Day <input type="radio"/> PM <input checked="" type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty
Unit of Assignment: LAC-USC Medical Center, Jailward			Work Assignment (Unit #, Module, etc.): 400 Ward Deputy			
Individual Force Used: Personal Weapons-Kick						Individual Category: <input type="radio"/> 1 <input type="radio"/> 2 <input checked="" type="radio"/> 3
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility: _____						Coroner Case #

E	Employee #	Last Name	First Name		Middle I.	Rank
	Sex: <input type="radio"/> M <input type="radio"/> F	Race:	Height:	Weight:	Age:	Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty
Unit of Assignment:			Work Assignment (Unit #, Module, etc.):			
Individual Force Used:						Individual Category: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility: _____						Coroner Case #

E	Employee #	Last Name	First Name		Middle I.	Rank
	Sex: <input type="radio"/> M <input type="radio"/> F	Race:	Height:	Weight:	Age:	Shift: <input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular Shift <input type="radio"/> OT Shift <input type="radio"/> Off Duty
Unit of Assignment:			Work Assignment (Unit #, Module, etc.):			
Individual Force Used:						Individual Category: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3
<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted Facility: _____						Coroner Case #

On Duty Supervisor

E	Emp. #	Last Name	First Name		Middle I.	Rank	Present	Witness to Incident
		Nalls	Denise		L	Sgt	<input checked="" type="radio"/> YES <input type="radio"/> NO	<input checked="" type="radio"/> YES <input type="radio"/> NO
Supervisor Completing Investigation								
	Emp. #	Last Name	First Name		Middle I.	Rank	Present	Witness to Incident
		Hamil	Jeffrey		F	Sgt	<input checked="" type="radio"/> YES <input type="radio"/> NO	<input checked="" type="radio"/> YES <input type="radio"/> NO
Watch Commander / Supervising Lieutenant								
	Emp. #	Last Name	First Name		Middle I.	Rank		
		Grall	David		M	Lt		

Watch Commander / Supervising Lieutenant's Signature: *[Signature]* Date: 7/25/17 Copy Provided to Employee by: _____ Emp #: _____

Unit Commander (Print Name): _____ Unit Commander's Signature: _____ Emp #: _____ Date: _____

FO# _____

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Survivor's Report on Use of Force SUSPECT INFORMATION

9 1 6 - 0 0 1 0 2 - 5 4 1 0 - 5 0 5

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Suspect Information

S 1

Last Name: Perez			First Name: Hector			Middle Name: NMI			Armed? Select: Not Armed		
AKA Last Name:			First Name:			Middle Name:					
Sex: <input checked="" type="radio"/> Male <input type="radio"/> Female	Race: H	Age: 29	Height: 504	Weight: 238	D.O.B: 08/28/86	Phone #1: <input checked="" type="radio"/> H <input type="radio"/> W <input type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C				
Street Address:					City:		State & Zip Code:				
Booking #: 4754132		Primary Charge Code: 211 PC			Secondary Charge Code:			<input type="checkbox"/> Criminal History			
Treated on Scene? <input checked="" type="radio"/> YES <input type="radio"/> NO		Name: Nurse Tito #			Unit: LCMC		Phone #: 323-409-4563				
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:			Coroner Case #:		Mental History <input checked="" type="checkbox"/> <small>User's guide provides direction on this entry</small>				
By:		Address:			Phone #:						
Under Influence: <input type="radio"/> YES <input type="radio"/> NO		Substance:			5150 a factor in force? <input checked="" type="radio"/> YES <input type="radio"/> NO		<small>User's guide provides direction on this entry</small>				
Date: 08/22/16		Time: 1100		<input type="checkbox"/> Audiotape: <input checked="" type="checkbox"/> Videotape:		<input checked="" type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS			

Suspect Information

S

Last Name:			First Name:			Middle Name:			Armed? Select:		
AKA Last Name:			First Name:			Middle Name:					
Sex: <input type="radio"/> Male <input type="radio"/> Female	Race:	Age:	Height:	D.O.B:	Weight:	Phone #1: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C				
Street Address:					City:		State & Zip Code:				
Booking #:		Primary Charge Code:			Secondary Charge Code:			<input type="checkbox"/> Criminal History			
Treated on Scene? <input type="radio"/> YES <input type="radio"/> NO		By:			Unit:		Phone #:				
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:			Coroner Case #:		Mental History <input type="checkbox"/> <small>User's guide provides direction on this entry</small>				
By:		Address:			Phone #:						
Under Influence: <input type="radio"/> YES <input type="radio"/> NO		Substance:			5150 a factor in force? <input type="radio"/> YES <input type="radio"/> NO		<small>User's guide provides direction on this entry</small>				
Date:		Time:		<input type="checkbox"/> Audiotape: <input type="checkbox"/> Videotape:		<input type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS			

Suspect Information

S

Last Name:			First Name:			Middle Name:			Armed? Select:		
AKA Last Name:			First Name:			Middle Name:					
Sex: <input type="radio"/> Male <input type="radio"/> Female	Race:	Age:	Height:	D.O.B:	Weight:	Phone #1: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C	Phone #2: <input type="radio"/> H <input type="radio"/> W <input type="radio"/> C				
Street Address:					City:		State & Zip Code:				
Booking #:		Primary Charge Code:			Secondary Charge Code:			<input type="checkbox"/> Criminal History			
Treated on Scene? <input type="radio"/> YES <input type="radio"/> NO		By:			Unit:		Phone #:				
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:			Coroner Case #:		Mental History <input type="checkbox"/> <small>User's guide provides direction on this entry</small>				
By:		Address:			Phone #:						
Under Influence: <input type="radio"/> YES <input type="radio"/> NO		Substance:			5150 a factor in force? <input type="radio"/> YES <input type="radio"/> NO		<small>User's guide provides direction on this entry</small>				
Date:		Time:		<input type="checkbox"/> Audiotape: <input type="checkbox"/> Videotape:		<input type="checkbox"/> Photos of Injuries:		<input type="checkbox"/> ADMITS HEARING ANNOUNCEMENTS			

Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

9 1 6 - 0 0 1 0 2 - 5 4 1 0 - 5 0 5

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Employee Witnesses					
Emp. #	Last Name	First Name	Middle Name		
	Nalls	Denise	L		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		Shift:	
LCMC		Sergeant		<input type="radio"/> EM <input checked="" type="radio"/> Day <input type="radio"/> PM <input checked="" type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty	
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		Shift:	
				<input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty	
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		Shift:	
				<input type="radio"/> EM <input type="radio"/> Day <input type="radio"/> PM <input type="radio"/> Regular <input type="radio"/> OT <input type="radio"/> Off Duty	
Non-Employee Witnesses					
Last Name		First Name		Middle Name	Age
					A
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
					32
Street Address		City		Zip Code	Phone #1
LA County Inmate #		Los Angeles		90033	
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1
Last Name		First Name		Middle Name	Age
Street Address		City		Zip Code	Phone #1

☐ Additional Witness

9 1 6 - 0 0 1 0 2 - 5 4 1 0 - 5 0 5

Method

(AW) Arwen	(FH) Firearm (Handgun)	(PO) Personal Weapon (Other)
(BC) Baton: (Control)	(FR) Firearm (Rifle)	(RS) Resistance
(BI) Baton: (Impact)	(FS) Firearm (Shotgun)	(RO) Restraint Device (Other)
(BF) Bodily Fluids	(FO) Firearm (Other)	(RH) Restraint Device (Handcuffs)
(CN) Canine	(FB) Flashbang	(HB) Restraint Device: Hobble (Legs Only)
(CR) Carotid Restraint	(FL) Flashlight	(TP) Restraint Device: Hobble (TARP)
(CH) Choke Hold	(OE) Other Weapon: Edged	(RE) Restraint Device: REACT Belt
(CT) Control Holds: (Control Techniques)	(OV) Other Weapon: Vehicle	(SP) Sap
(TT) Control Holds: (Team Takedown)	(OB) Other Weapon: Blunt Object	(SH) Shield
(TD) Control Holds: (Takedown)	(OO) Other Weapon: Other	(IR) Less Lethal Impact Round (other)
(CE) Chemical	(PK) Personal Weapon: Feet/Leg: (Kick)	(SB) Sting Ball
(OC) Chemical Agents (OC Spray)	(PS) Personal Weapon: Feet/Leg: (Sweep)	(ST) Stun Bag
(TG) Chemical Agents (Tear Gas)	(PH) Personal Weapon (Hand/Arm)	(TR) Taser
(EX) Explosives	(PP) Personal Weapon (Push)	(UC) Uncooperative
		(HR) High Risk

Type of Injury

(AB) Abrasion	(DB) Dog Bite	(PA) Paralysis
(BR) Bruise	(FR) Fractures	(PW) Puncture Wound
(BU) Burn	(GS) Gunshot	(SD) Soft Tissue Damage
(CP) Complaint of Pain	(HB) Human Bite	(ST) Sprain/Twists
(CO) Concussion	(LC) Lacerations	(UN) Unconscious
(DH) Death	(ND) Nerve Damage	(RM) Refused Med Treatment
(DI) Dislocation	(OD) Organ Damage	(NN) NONE

Body Part Involved

(AD) Abdomen	(FA) Face	(HI) Hip
(AK) Ankle	(FE) Feet	(IN) Internal
(AR) Arm	(FI) Fingers	(KN) Knees
(BK) Back	(GE) Genitals	(LE) Leg
(BT) Buttocks	(GR) Groin	(NK) Neck
(CH) Chest	(HD) Hands	(NO) Nose
(EL) Elbow	(HE) Head	(SH) Shoulder
		(WR) Wrist

[illegible]

**COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT**

CATEGORY 3 FORCE INCIDENT SUMMARY

UNIT: Twin Towers Correctional Facility
DATE: August 18, 2016
TIME: 1100 Hours
LOCATION: Los Angeles County Medical Center, Jail Ward. 2051 Marengo Street,
Los Angeles, CA 90033
URN#: 916-00102-5410-505
IAB#: FO 2410093

Internal Affairs Bureau investigators (IAB) interviewed Department personnel and civilian witnesses as part of this investigation. Following is a summary of the investigation, including their interviews. For more information and precise wording, see the attached verbatim interview transcriptions.

SYNOPSIS:

On September 21, 2016, Lieutenant David Grall of the Internal Affairs Bureau (IAB) received notification of a Use of Force which occurred on August 18, 2016, that resulted in Inmate Perez sustaining a broken left eighth rib. Sergeant Jeff Hamil (IAB) was assigned the force review.

On August 18, 2016, at 0056 hours, Inmate Perez was arrested by Palmdale Sheriff's Station deputies for 211 P.C. (Robbery). Inmate Perez took a beverage and struck the employee in the head with a fist and left the location without paying for the item. Inmate Perez was tackled by a witness and held on the ground until Palmdale Station deputies arrived. Inmate Perez was arrested and transported to Palmdale Station and booked. No reported force was used by Palmdale Station personnel, and Inmate Perez complained of no injuries during the booking process.

At approximately 0450 hours, Inmate Perez told Custody Assistant Weinreich, # [REDACTED] that he (Perez) was going to hang himself with a bed sheet. Inmate Perez was immediately moved to the front booking cell and placed into a "Suicide Gown." Inmate Perez was constantly monitored until Inmate Perez was approved to be transferred to the Los Angeles County Medical Center (LCMC) jail ward for a Mental Health Referral and Behavior Observation. Inmate Perez was transported to LCMC by Palmdale Sheriff's Station personnel and arrived at approximately 0935 hours.

IAB Note: Palmdale Sheriff's Station arrest report, detective supplemental report, complete booking package, medical questioner, Behavioral Observation and Mental Health Referral form and Inmate transmittal are included in the IAB case, Exhibit A.

Inmate Perez arrived at LCMC and was changed into a medical gown and handcuffed to a medical gurney by both wrists. Inmate Perez was physically cooperative during the changing of his clothes, but was yelling profanities. Sergeant Nalls was present during the receiving of Inmate Perez, but left when he was wheeled into the emergency room (**Morales page 2**).

Inmate Perez was medically cleared by the Emergency Department and transferred to the 400 ward of LCMC. Due to his continued mentally altered state of mind, and his continued yelling of profanities, Inmate Perez was isolated in room 16, which is a single room where disruptive patients are housed so they do not disturb the other patients. Inmate Perez was secured to a hospital gurney by both wrists handcuffed to the rails.

Los Angeles County-University of Southern California (LCMC-USC) Nurse [REDACTED] (Witness [REDACTED]) entered room 16 to administer medication to Inmate Perez, and Deputy Morales provided security. Inmate Perez had pushed his hospital gurney away from the wall. Witness [REDACTED] attempted to move the hospital gurney back when Inmate Perez brought his knees up and kicked Witness [REDACTED] on the left arm and upper abdomen area while screaming and yelling profanities at her (**Exhibit B, written statement by Witness [REDACTED], page 2, Morales page 6, Perez pages 1, 2 and 3**). The kick caused the hospital gurney to move between Witness [REDACTED] and Deputy Morales. Deputy Morales feared Inmate Perez was going to kick Witness [REDACTED] again, so Deputy Morales kicked Inmate Perez one time with his right foot. Deputy Morales struck Inmate Perez on the left abdomen area, and the kick stopped Inmate Perez' kicking at Witness [REDACTED] (**Morales page 6,8,10, and written supplemental report Exhibit B**) (**Perez, page 3**). Witness [REDACTED] was able to exit room 16, by using her "swipe card," into the secured rear hallway. Deputy Morales exited room 16 into the main hospital ward, securing the door and notified Sergeant Nalls via radio of the Use of Force. Sergeant Nalls, Lieutenant Skaggs and medical staff from the hospital "Code Gold Team" responded and sedated Inmate Perez.

IAB Note: A swipe card is a card with a chip or magnetic strip which activates an electronic lock, releasing the locking mechanism.

Inmate Perez was secured in 4-point medical restraints and medically evaluated by LCMC-USC Nurse Tito. No injuries were observed and Inmate Perez did not complain of pain (**Exhibit B**). Inmate Perez was not interviewed by Lieutenant Skaggs on August 18, 2016, due to the medication Inmate Perez had received.

On August 22, 2016, Lieutenant Skaggs video recorded his watch commander's use of force interview of Inmate Perez (**Exhibit D**). During the interview, Inmate Perez stated he had attempted to commit suicide in his cell and fell off his table, hitting his ribs on his bunk, breaking them. Inmate Perez stated his ribs were partially broken by the deputy's kick during the force, and his fall completely broke the ribs (**Perez pages 4-6**). On August 22, 2016, Inmate Perez was sent to the Twin Towers Clinic to have his complaint of pain evaluated.

On August 24, 2016, Inmate Perez received an x-ray which revealed Inmate Perez had a broken eighth rib (**Exhibit C, Medical Records**); it was unable to be determined when Inmate Perez broke his rib. On September 19, 2016, Sergeant Nalls received a copy of the Inmate Injury Report from Twin Towers for Inmate Perez' injury re-evaluation (**Exhibit B**). Sergeant Nalls was notified of the broken rib after a follow-up telephone call to Nurse Practitioner Suyehara, # [REDACTED]

IAB Note: IAB investigators had Inmate Perez' video interview transcribed and is included in the transcribed interview section of the IAB case book.

A Sheriff's Department Supervisor's Report of Use of Force report under file 916-00102-5410-505 was written by Sergeant Nalls documenting the incident. Deputy Morales wrote a supplemental report documenting his actions and observations. Copies of the reports are included with this investigation as (**Exhibit B**). Witness [REDACTED] was not injured during the incident and was not desirous of prosecution.

INVOLVED PERSONNEL:

Eduardo Morales - Deputy, # [REDACTED]
Twin Towers Correctional Facility

EMPLOYEES WORK HISTORY:

Date of Employment:	March 7, 2007
Date Assigned to TTCF:	September 30, 2007
Prior Shooting Incident(s):	[REDACTED]
Prior Founded Force Incidents:	[REDACTED]

EQUIPMENT WORN:

Full Sam Browne with OC spray and Taser. Soft canvas rubber soled boots (Hi-Tec).

INVOLVED INMATE:

Hector Perez, MH/30, Booking #4754132

DOB: 08/26/1986

[REDACTED]
Booking Charges: 211 P.C.

CRIMINAL HISTORY:

Inmate Perez had [REDACTED]. Inmate Perez [REDACTED]
[REDACTED] A copy of Inmate Perez' complete criminal history is included with this investigation as (Exhibit E).

INMATE INJURIES:

Inmate Perez sustained a fractured broken eighth rib. Digital photos of Inmate Perez' injuries are included with this investigation as (Exhibit D). A copy of Inmate Perez' medical report is included with this investigation as (Exhibit C).

DEPUTY PERSONNEL INJURIES:

None

PHYSICAL EVIDENCE:

Sergeant Nalls took several digital photos of Inmate Perez while he was at LCMC. Copies of the photographs are included with this investigation as (Exhibit D).

WEAPONS USED BY DEPUTY PERSONNEL:

Personal Weapons, kick

WEAPONS USED BY SUBJECT:

Personal Weapons, kick

CRIMINAL CHARGES FILED:

Court: Michael Antonovich

Charges: On September 2, 2016, the Los Angeles County District Attorney filed one Felony count of Robbery Second Degree 212.5(C) P.C. against Inmate Perez. Inmate Perez' next court date is August 1, 2017. Inmate Perez' Court Minute Orders are included in (Exhibit E).

STATEMENTS:

IAB investigators interviewed the following personnel: Sergeant Nalls, Deputy Morales and Witness [REDACTED] Lieutenant Skaggs interviewed Inmates Perez and [REDACTED]

For complete statements made, more information, and precise wording, see the attached verbatim interview transcriptions.

DEPARTMENT WITNESSES:

Sergeant Denise Nalls

Sergeant Nalls stated she was the only sergeant on duty when Inmate Perez arrived at LCMC. Sergeant Nalls did not remember being present when Inmate Perez arrived, or having any contact with Inmate Perez prior to the Use of Force incident. Sergeant Nalls stated it is not common to video tape mentally altered inmates when they arrive at LCMC due to the frequency of those types of patients arriving. Sergeant Nalls stated LCMC was not monitored by CCTV at the time of the incident.

CIVILIAN WITNESSES:

[REDACTED] Inmate # [REDACTED]

Inmate [REDACTED] stated he was housed in the [REDACTED] Ward and saw Witness [REDACTED] enter room 16. He heard Inmate Perez yell at Witness [REDACTED] "if you don't get that thing away from me, I'm going to punch you in the face." Inmate [REDACTED] stated Deputy Morales entered the room and he saw Witness [REDACTED] run from room 16, through the back door (secured door). Inmate [REDACTED] could not see inside room 16, and did not see Deputy Morales' actions. He could only hear what was said.

Witness [REDACTED]

Witness [REDACTED] stated she was administering medical attention to Inmate Perez and attempted to push his hospital gurney into proper position. Inmate Perez had used his feet to unlock and manipulate the hospital gurney out of position. Witness [REDACTED] stated Inmate Perez yelled and kicked at her. Witness [REDACTED] was struck by the kick on the left arm and abdomen area.

Witness [REDACTED] saw Deputy Morales lift his leg and make a "kicking motion," but did not see Deputy Morales' kick strike Inmate Perez. Witness [REDACTED] stated she was "escaping" the room by using her "swipe card" to exit through the secured door into the hallway. Witness [REDACTED] was not injured by Inmate Perez' kick.

INVOLVED EMPLOYEE:

Deputy Eduardo Morales

Deputy Morales stated he assisted other unknown deputies in changing Inmate Perez into hospital clothing, when Inmate Perez arrived from Palmdale Station. Deputy Morales described Inmate Perez as being in an altered state, agitated, and yelling vulgarities. Inmate Perez followed the instructions and was secured to a hospital gurney by handcuffing both wrists to the guard rails of the hospital gurney. Deputy Morales stated it was common practice to handcuff both wrists if the inmate displays an altered mental state. Inmate Perez was transferred to room 5 in the emergency room to be medically cleared for housing. Deputy Morales could hear Inmate Perez yelling profanities from the emergency department.

Deputy Morales stated Inmate Perez was transferred to room 16, which is a single person room. Inmate Perez was placed into room 16, so that he would not disturb the other patients in the 400 ward. Inmate Perez had been at LCMC approximately three hours when Witness [REDACTED] entered room 16 to administer medical attention to Inmate Perez. Based on Inmate Perez' mental state, Deputy Morales stood at the open door and watched. Witness [REDACTED] approached Inmate Perez, and Inmate Perez yelled profanities at Witness [REDACTED]. Witness [REDACTED] approached the hospital gurney, and Inmate Perez raised his legs in a "cocked" position and kicked Witness [REDACTED]. The force of the kick caused the hospital gurney to move, placing the hospital gurney between Witness [REDACTED] and Deputy Morales. Witness [REDACTED] was pinned against the wall, and Inmate Perez brought his legs up to kick Witness [REDACTED] again. Deputy Morales, fearing Witness [REDACTED] would be kicked again, gave verbal commands for Inmate Perez to stop. Deputy Morales kicked Inmate Perez one time with the bottom of his right foot. Deputy Morales struck Inmate Perez on the left side of the abdomen causing Inmate Perez to stop his kick and curl up into a "fetal" position. Deputy Morales stated the kick was hard enough to "knock the wind" out of Inmate Perez. Witness [REDACTED] was able to use her "swipe card" to exit the secured door and escape.

Deputy Morales then shut the door and called for his supervisors. Medical staff responded and sedated Inmate Perez and placed him into restraints. Deputy Morales had no further contact with Inmate Perez, and made immediate verbal notification of the force used to Sergeant Nalls and Lieutenant Skaggs.

Deputy Morales stated he had "OC" spray but could not deploy it in the hospital. He also had a "Taser" but Inmate Perez was already handcuffed to the hospital gurney, so Deputy Morales considered the kick to be the best option to stop Inmate Perez from further assaulting Witness [REDACTED] (Photographs used during Deputy Morales' interview will be included in the IAB case book as Exhibit F).

INMATE STATEMENT:

Inmate Hector Perez

Inmate Perez stated he was handcuffed to a hospital gurney by both wrists. Inmate Perez kicked Witness [REDACTED] because she touched him without asking permission first, and that made him upset. The deputy who was watching then kicked him (Inmate Perez) "real hard." Inmate Perez said the kick partially broke his ribs. Inmate Perez stated he completely broke his ribs when he fell after he tried to commit suicide in his cell. Inmate Perez fell from his bed which he had placed on top of his table and the bed slipped, causing him to fall, breaking his ribs completely. Inmate Perez was housed in a single person cell, and there were no witnesses to his suicide attempt.